

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2 (c)
Robert C. Nisenson, LLC
10 Auer Court
East Brunswick, New Jersey 08816
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In the Matter of

PAUL J. CAVANAUGH
JOANN M. CAVANAUGH

DEBTORS



Order Filed on December 6, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 16-15584

Judge: Michael B. Kaplan

ORDER TO APPROVE CREDITORS MODIFICATION AGREEMENT

The relief set forth on the following pages, numbered two (2) through _____ is hereby **ORDERED**.

DATED: December 6, 2018



Honorable Michael B. Kaplan
United States Bankruptcy Judge

ROBERT C. NISENSEN, L.L.C.

10 Auer Court
East Brunswick, New Jersey 08816
(732) 238-8777
Attorneys for Debtors
Robert C. Nisenson, Esq.
Attorney No.: RCN 6680

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In Re:	:	Case #: 16-15584 MBK
	:	
PAUL J. CAVANAUGH	:	Chapter 13
JOANN M. CAVANAUGH	:	
	:	
	:	ORDER TO APPROVE
Debtors.	:	MODIFICATION AGREEMENT
	:	

This matter having been opened to the Court upon motion of Maurizio and Anna Sanzone, by and through their attorneys, **ROBERT C. NISENSEN, L.L.C.**, seeking an Order to approve a Loan Modification Agreement, PNC Mortgage and the Debtor appearing by its counsel and the Court having considered all supporting and opposing Affidavits, and Briefs, if any; and good cause appearing for the entry of this Order;

ORDERED the Debtors and PNC Mortgage are authorized to enter into the Loan Modification Agreement and it is further;

ORDERED in the event a loan modification is completed and the pre-petition arrears are capitalized into the loan, Secured Creditor shall amend the arrearage portion of its proof of claim to zero or withdraw the claim within thirty (30) days of completion of the loan modification; and it is further

ORDERED, that the Chapter 13 Trustee shall suspend disbursements to Secured Creditor pending completion of loan modification and all money that would otherwise to be paid to Secured Creditor, be held until the arrearage portion of the claim is amended to zero or the claim is withdrawn, or the Trustee is notified by the Secured Creditor that the modification was not consummated; and it is further

ORDERED, in the event the modification is not consummated, the Secured Creditor shall notify the Trustee and Debtor's Attorney of same. Any money that was held by the Trustee pending completion of the modification shall then be paid to Secured Creditor; and it is further

ORDERED, in the event the proof of claim is amended to zero or withdrawn, the Trustee may disburse the funds being held pursuant to this order to other creditors in accordance with the provisions of the confirmed plan; and it is further

ORDERED, Debtors shall file an amended Schedule J and Modified Plan within twenty (20) days of this Order; and it is further

ORDERED, that the Secured Creditor will reduce their proof of claim within 20 days, otherwise Debtors will have to file a Motion to Reduce the Claim and will charge the creditor \$400.00 for the filing of said motion.

ORDERED that a copy of this Order shall be served upon all parties within 7 days of the date hereof.